

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Calvin B. Johnson,

Civil No. 15-4214 (DWF/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Brent C. Lindgren, Mille Lacs
County Sheriff; and County of
Mille Lacs, a Minnesota Municipal
Corporation,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated January 19, 2016. (Doc. No. 4.) No objections have been filed to that Report and Recommendation in the time period permitted.

The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. In his Report and Recommendation, Magistrate Judge Brisbois recommended that this action be dismissed without prejudice for failure to prosecute and that Plaintiff's application to proceed *in forma pauperis* be denied. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Leo I. Brisbois's Report and Recommendation (Doc. No. [4]) is **ADOPTED**.

2. This matter is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

3. Plaintiff Calvin B. Johnson's application to proceed *in forma pauperis* (Doc. No. [2]) is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 12, 2016

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge